

but it would be a while.”⁴⁴⁶ Babbitt had no recollection of discussing the Hudson matter at any time with Berlin, and testified that “blood from a stone” is “not my kind of phrase,” so he said it was plausible that he told Berlin it would take some time to resolve the application, but “a lot less plausible” that he made the other remarks attributed to him.⁴⁴⁷

H. Events of July 14, 1995

1. Eckstein Arranges a Meeting with Duffy

In the weeks leading up to July 14, Eckstein was in communication with IGMS staff and his Four Feathers colleagues by telephone. By the end of June, the news the Four Feathers representatives were obtaining about the status of the application alarmed him enough that he thought it best to reach out to Secretary Babbitt again regarding the request for a meeting between the Secretary and the applicant tribal leaders.⁴⁴⁸ Eckstein attempted to reach Babbitt by phone on June 26 and then again on July 5, leaving a message the second time asking if Babbitt had any time for a phone conversation about the Hudson application. Eckstein and Moody also left a phone message for Duffy on July 7. It appears that Babbitt and Eckstein then traded calls without speaking until July 11.

On Tuesday, July 11, Eckstein reached Babbitt by phone and said that it had been more than six weeks since the Duffy meeting and the applicants had not seen a report but they were

⁴⁴⁶Grand Jury Testimony of Jerome Berlin, June 18, 1999, at 33.

⁴⁴⁷Babbitt G.J. Test., July 7, 1999, at 48. Berlin said he has met Babbitt from time to time at political events over the years, including an event at Berlin’s home when Babbitt was qualified for matching funds during his aborted 1988 run for president. Babbitt said he knew Berlin as someone he would see at Democratic Party functions working the room.

⁴⁴⁸The applicant group was hearing mostly negative rumors indicating that the application would be denied.